



JC04 Rec'd PCT/PTO 25 JUL 2005 #6

A35045-PCT-USA (076179.0101)  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Giaccia et al.  
Serial No. : 10/524,919 Examiner : Not yet assigned  
Filed : February 17, 2005 Group Art Unit: Not yet assigned  
For METHODS AND COMPOSITIONS FOR REGULATING  
ADIPOGENESIS

RESPONSE TO NOTIFICATION

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

July 21, 2005  
Date of Deposit

Lisa B. Kole  
Attorney Name

[Signature]  
Signature

35,225  
PTO Reg. No.

July 21, 2005  
Date of Signature

Commissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. §371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE" ("the Notification"), please consider the following remarks.

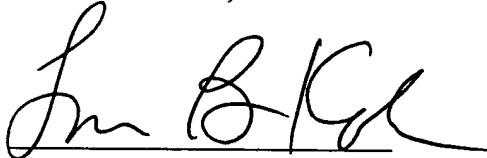
The Notification, a copy of which is attached, indicates that additional fees in the amount of \$245 (for a Small Entity) are due, \$180 for multiply dependent claims, plus a \$65 surcharge for providing the oath or declaration later than 30 months from the priority date.

Applicants now enclose the required check for \$245. However, Applicants note that on page 2 of the Transmittal Letter accompanying this application, filed on February 17, 2005, authorization to charge Deposit Account No. 02-4377 for any additional fees was already given.

If any fees beyond \$245 are now due, the Commissioner is given the authority to charge such fees to Deposit Account No. 02-4377. A copy of this paper is enclosed.

Respectfully submitted,

BAKER BOTTS, LLP.



Lisa B. Kole  
Patent Office Reg. No. 35,225

30 Rockefeller Plaza  
New York, New York 10112

Attorneys for Applicant  
(212) 408-2628

07/28/2005 GFREY1 00000129 10524919  
01 FC:2617 Dated: July 21, 2005  
02 FC:2616 65.00 0P  
180.00 0P



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25 JUL 2005

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#6

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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U.S. APPLICATION NUMBER NO. 10/524,919	FIRST NAMED APPLICANT Amato J Giaccia	ATTY. DOCKET NO. 35045 PCT USA
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INTERNATIONAL APPLICATION NO. PCT/US03/06360
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LA. FILING DATE 02/28/2003	PRIORITY DATE 02/28/2002
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Peter J Shen  
Baker Botts  
30 Rockefeller Plaza  
New York, NY 10112

CONFIRMATION NO. 1460  
371 FORMALITIES LETTER



Date Mailed: 07/01/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/17/2005
- Copy of the International Search Report filed on 02/17/2005
- Copy of IPE Report filed on 02/17/2005
- Biochemical Sequence Diskette filed on 02/17/2005
- Oath or Declaration filed on 02/17/2005
- U.S. Basic National Fees filed on 02/17/2005
- Priority Documents filed on 02/17/2005

BAKER BOTTS LLP

05 JUL 11 AM 10:58

LBK

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$180 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$245 for a Small Entity:

Docketed

For 9/11/2005 to 10/1/2005  
2/1/06

- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$ 180
  - \$180 for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,919	PCT/US03/06360	35045 PCT USA

FORM PCT/DO/EO/905 (371 Formalities Notice)



Express Mail Label No.: ED291600682US

PTO-1390 (Rev. 02-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
		PCT/US03/06360		35045 PCT USA	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$ 100.00	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$ 100.00	
TOTAL OF 21, 22 and 23 =				\$ 500.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	0 /50 =	0	x \$250	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	42 - 20 =	22	x \$ 50	\$ 1,100.00	
Independent claims	10 - 3 =	7	x \$200	\$ 1,400.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 3,000.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$1,500.00	
SUBTOTAL =				\$ 1,500.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 1,500.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 1,500.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 1,500.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. 02-4377 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit t Account No. 02-4377. A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Peter J. Shen BAKER BOTTS LLP 30 Rockefeller Plaza New York, NY 10112				SIGNATURE Peter J. Shen NAME 52,21 7 REGISTRATION NUMBER	